

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In re:

ALLEN, BRADLEY SCOTT and
ALLEN, NANCY KAY,

Debtors.

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CASE NO. 13-00242-JKC-7A

AGREED ENTRY

Come now Paul D. Gresk, the Chapter 7 trustee, and the debtors, Bradley and Nancy Allen, by counsel Mark S. Zuckerberg, and stipulate and agree as follows:

1. That Bradley Scott Allen and Nancy Kay Allen (the "Debtors" herein) filed for relief from their debts pursuant to Chapter 7 of the U.S. Bankruptcy Code on January 11, 2013 (the "Petition Date").
2. That Paul D. Gresk (the "Trustee") is the duly-appointed and acting Chapter 7 trustee in this bankruptcy proceeding.
3. That on May 31, 2013 and June 26, 2013, the Trustee filed two motions for turnover [Docs. 49 and 52 respectively], seeking turnover of various property from the Debtors, which the Trustee alleged was property of the bankruptcy estate.
4. That on August 20, 2013, the Court issued an order partially granting the Trustee's motions for turnover (the "Order") [Doc. 77].
5. That the Court took the remaining claims raised in the Trustee's motions for turnover under advisement, and as of the date of this Agreed Entry, has not ruled on those issues (the "Remaining Claims").
6. That the Debtors' complete performance of their obligations under this Agreed

Entry, *infra*, hereby effectuates the Debtors' obligations under the Order and resolves the Remaining Claims.

7. Debtors' obligations. Within thirty (30) days of an order from the Court approving this Agreed Entry, the Debtors shall surrender to the Trustee the following:

- a. Their real estate located at 5065 East Bluebird Court, Monticello, IN 47960;
- b. All of the personal property present in the house and on the premises of the Monticello property, but not including the two wave runners owned by the Debtors;
- c. Their 2007 pontoon boat and the 2004 speed boat;
- d. 1,098 shares of Eli Lilly & Company stock. The Debtors shall assist the Trustee in the liquidation of the stock.
- e. Value of the deposit in the Debtors' Merrill Lynch account, account number #5752, in the amount of \$5,359.13.

8. Debtors' obligations continued. The Debtors shall turn over to the Trustee, effective December 31, 2013, their combined Eli Lilly gross cash bonuses for 2012, paid in 2013. The Debtors shall effectuate this turnover by paying the Trustee the sum of \$70,913.00, in immediately-available funds, within thirty (30) days of an order from the Court approving this Agreed Entry. The amount of these gross cash bonuses remaining due after said payment, shall be considered to be paid from the payments described below.

9. Debtors' obligations continued. The Debtors shall surrender to the Trustee their entire Federal and State tax refunds for fiscal year 2013, subject to the following conditions:

- a. That said returns shall be prepared and filed no later than March 1, 2014;
- b. That said returns shall be made available to the Trustee and his accountant for their review, prior to filing with the taxing authorities;
- c. That said returns shall be prepared in a fashion that maximizes the refunds due thereunder.

10. Debtors' obligations continued. In addition to all of their obligations listed above, the Debtors shall pay to the Trustee the sum of \$100,000.00, payable as follows:

- a. From their 2013 Eli Lilly bonuses and awards, payable in 2014, within thirty (30) days of receiving said bonuses.
- b. To the extent necessary, from their 2014 Eli Lilly bonuses and awards, payable in 2015, within thirty (30) days of receiving said bonuses.
- c. To the extent necessary, the remaining amount due under this paragraph, if any, shall be paid to the Trustee in equal monthly payments for six (6) months following the Debtors' turnover of their 2014 Eli Lilly bonuses.

11. That all cash payments due under this Agreed Entry shall be payable to Paul D. Gresk, Chapter 7 Trustee, and mailed or hand delivered to his counsel, Gresk & Singleton, P.C., 150 E. 10th St., Indianapolis, IN 46204.

12. That the Debtors recognize that failure to abide by the terms of this Agreed Entry shall constitute grounds on which the Trustee may seek revocation of the Debtors' Chapter 7 Discharge.

AGREED TO BY:

Date: January 16, 2014

/s/ Paul D. Gresk

Paul D. Gresk, Chapter 7 Trustee
Gresk & Singleton, P.C.
150 East Tenth Street
Indianapolis, IN 40204
Phone: 317.237.7914
Fax: 317.237.7912
E-mail: bankruptcy@gsllawindy.com

Date: January 16, 2014

/s/ Mark S. Zuckerberg

Mark S. Zuckerberg, Debtors' Counsel
Law Office of Mark S. Zuckerberg, P.C.
429 N Pennsylvania St., Suite 100
Indianapolis, IN 46204
Phone: 317.687.5157
Fax: 317.687.5151
E-mail: filings@mszlaw.com

Date: 20-Jan-2014

/s/ Bradley Scott Allen
Bradley Scott Allen, Debtor

Date: 20-Jan-2014

/s/ Nancy K. Allen
Nancy Kay Allen, Debtor